

**IOWA WORKFORCE DEVELOPMENT  
UNEMPLOYMENT INSURANCE APPEALS**

68-0157 (9-06) - 3091078 - EI

**HECTOR R MORALES**  
Claimant

**APPEAL NO: 14A-UI-11878-DWT**

**ADMINISTRATIVE LAW JUDGE  
DECISION**

**G & K SERVICES COMPANY**  
Employer

**OC: 10/12/14  
Claimant: Appellant (2)**

Iowa Code § 96.5(1) – Voluntary Quit

**PROCEDURAL STATEMENT OF THE CASE:**

The claimant appealed a representative's November 6, 2014 determination (reference 03) that disqualified him from receiving benefits and held the employer's account exempt from charge because he voluntarily quit this employment for reasons that do not qualify him to receive benefits. The claimant participated at the December 8 hearing. The employer's witness, Brian Christner, was called but was not available for the hearing. After the hearing, the Appeals Bureau received notice that the employer was not going to participate at the scheduled hearing. Anna Pottabaum interpreted the hearing. Based on the evidence, the claimant's arguments, and the law, the administrative law judge concludes the claimant is qualified to receive benefits.

**ISSUE:**

Did the clamant voluntarily quit this employment for reasons that qualify him to receive benefits?

**FINDINGS OF FACT:**

The claimant started working for the employer in January 2014. The claimant sorted clothing for the employer.

While the claimant worked for the employer, he became ill. When the claimant went to his doctor, he learned a medical condition was not under control and was the cause of him feeling ill. Because of the medical condition, the claimant's doctor advised him to quit this job. The last day the claimant worked was June 6, 2014. The claimant did not return to work after his doctor advised him to quit.

The claimant established a clam for benefits during the week of October 12, 2014. The claimant did not file a claim until he was laid off from a painting job.

**REASONING AND CONCLUSIONS OF LAW:**

A claimant is not qualified to receive unemployment insurance benefits if he voluntarily quits employment without good cause attributable to the employer. Iowa Code § 96.5(1). When a claimant quits, he has the burden to establish he quit for reasons that qualify him to receive benefits. Iowa Code § 96.6(2).

The law presumes a claimant quits with good cause when he is compelled to leave because of a medical condition that is aggravated by the employment and makes it impossible for the claimant to continue working because it would result in serious danger to the claimant's health. This is an involuntary termination and constitutes good cause attributable to the employer. 871 IAC 24.26(6 )b. Since the claimant's medical condition was aggravated by this employment and the claimant's doctor advised him to quit, the claimant involuntarily terminated this employment. Based on the reasons for this employment separation, the claimant is qualified to receive benefits as of October 12, 2014.

**DECISION:**

The representative's November 6, 2014 determination (reference 03) is reversed. The claimant involuntarily terminated this employment after his doctor advised him to quit because this employment aggravated a medical condition. Based on this employment separation, the claimant is qualified to receive benefits as of October 12, 2014, provided he meets all other eligibility requirements.

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Debra L. Wise  
Administrative Law Judge

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Decision Dated and Mailed

dlw/pjs